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2005 APR 14 P 4:37

AZ CORP COMMISSION  
DOCUMENT CONTROL

Attorneys for Circle City Water Company, L.L.C.

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF CIRCLE CITY WATER COMPANY, LLC  
FOR APPROVAL OF A HOOK-UP FEE  
TARIFF.

DOCKET NO. W-03510A-05-0145

IN THE MATTER OF THE APPLICATION  
OF CIRCLE CITY WATER COMPANY, LLC  
FOR AN EXTENSION OF ITS EXISTING  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR WATER SERVICE.

DOCKET NO. W-03510A-05-0146

**NOTICE OF FILING AMENDED LEGAL  
DESCRIPTION**

Circle City Water Company, L.L.C. ("Circle City"), an Arizona public service corporation, hereby submits this Notice of Filing Amended Legal Description in the above-captioned dockets. Attached hereto as Exhibit 1 is an amended legal description for the area requested in Circle City's original application for an extension of its Certificate of Convenience and Necessity (CC&N). The area sought for inclusion in Circle City's CC&N includes 4,882 acres in Maricopa County, and another 160 acres at the northwest corner of 235<sup>th</sup> Avenue and Joy Ranch Road. Exhibit 1 attached hereto should replace Exhibits 2 and 3 submitted with Circle City's original application.

Arizona Corporation Commission

**DOCKETED**

APR 14 2005

DOCKETED BY

*JS*

1 RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of April, 2005.

2 FENNEMORE CRAIG, P.C.

3  
4 By: 

5 Jay L. Shapiro

6 Patrick J. Black

7 Attorneys for Circle City Water Company,  
8 L.L.C.

9 ORIGINAL and 15 copies filed this 14<sup>th</sup> day of April, 2005:

10 Docket Control  
11 Arizona Corporation Commission  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007

14 COPY delivered this 14<sup>th</sup> day of April, 2005:

15 Amanda Pope, Administrative Law Judge  
16 Hearing Division  
17 Arizona Corporation Commission  
18 1200 West Washington Street  
19 Phoenix, AZ 85007

20 Christopher Kempley, Chief Counsel  
21 Legal Division  
22 Arizona Corporation Commission  
23 1200 West Washington Street  
24 Phoenix, AZ 85007

25 Ernest Johnson, Director  
26 Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Jim Fisher, Executive Consultant  
Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

By: 

1657439.1/20496.003

# **EXHIBIT**

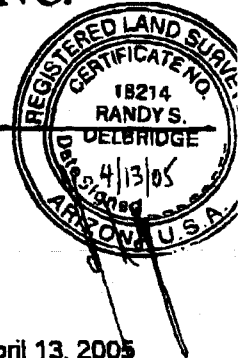
# **1**

# ***SOUTHWESTERN STATES SURVEYING, INC.***

**Professional Land Surveying**

**Randy S. Delbridge, President**

**21415 North 23rd Avenue • Phoenix, Arizona 85027  
Phone (623) 869-0223 Fax (623) 869-0728**



## **DESCRIPTION FOR TOTAL AREA**

**Job no. 210750**

**April 13, 2005**

Being all of Sections 5, 6, 7, 8, 9, 17, 18 and a portion of Section 4, Township 6 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 18, being a G.L.O. Brass Cap;

THENCE North 00 degrees 01 minutes 37 seconds East, along the West line of the Southwest quarter of said Section 18 a distance of 2640.12 feet to the West quarter corner of said Section 18, being a G.L.O. Brass Cap;

THENCE North 00 degrees 02 minutes 20 seconds West, along the West line of the Northwest quarter of said Section 18 a distance of 2639.18 feet to the Northwest corner of said Section 18, being a G.L.O. Brass Cap;

THENCE North 00 degrees 00 minutes 00 seconds East, along the West line of said Section 7, a distance of 5284.62 feet to the Northwest corner of said Section 7, being a G.L.O. Brass Cap;

THENCE North 00 degrees 07 minutes 21 seconds East, along the West line of the Southwest quarter of said Section 6 a distance of 2640.71 feet to the West quarter corner of said Section 6, being a G.L.O. Brass Cap;

THENCE North 00 degrees 07 minutes 15 seconds West, along the West line of the Northwest quarter of said Section 6 a distance of 2636.20 feet to the Northwest corner of said Section 6, being a G.L.O. Brass Cap;

THENCE South 89 degrees 55 minutes 08 seconds East, along the North line of the Northwest quarter of said Section 6 a distance of 2499.21 feet to the North quarter corner of said Section 6, being a G.L.O. Brass Cap;

THENCE South 89 degrees 10 minutes 12 seconds East, along the North line of the Northeast quarter of said Section 6 a distance of 498.80 feet to the South quarter corner of Section 31, Township 7 North, Range 2 West, being a G.L.O. Brass Cap;

THENCE North 89 degrees 50 minutes 21 seconds East, continuing along the North line of the Northeast quarter of said Section 6 a distance of 2140.86 feet to the Northeast corner of Section 6, being a G.L.O. Brass Cap;

THENCE South 89 degrees 53 minutes 38 seconds East, along the North line of the Northwest quarter of said Section 5 a distance of 501.45 feet to the Southwest corner of said Section 32, Township 7 North, Range 2 West, being a G.L.O. Brass Cap;

THENCE South 89 degrees 54 minutes 32 seconds East, continuing along the North line of the Northwest quarter of said Section 5 a distance of 2148.21 feet to the North quarter corner of Section 5, being a G.L.O. Brass Cap;

THENCE North 89 degrees 07 minutes 14 seconds East, along the North line of the Northeast quarter of said Section 5 a distance of 499.67 feet to the South quarter corner of Section 32, Township 7 North, Range 2 West being a G.L.O. Brass Cap;

THENCE South 89 degrees 43 minutes 38 seconds East, continuing along the North line of the Northeast quarter of said Section 5 a distance of 2148.06 feet to the Northeast corner of said Section 5, being a G.L.O. Brass Cap;

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Total Description

THENCE North 89 degrees 58 minutes 03 seconds East, along the North line of the Northwest quarter of said Section 4 a distance of 497.01 feet to the Southwest corner of Section 33, Township 7 North, Range 2 West, being a G.L.O. Brass Cap;  
THENCE South 89 degrees 57 minutes 12 seconds East, continuing along the North line of the Northwest quarter of said Section 5 a distance of 823.19 feet to the Northeast corner of G.L.O. Lot 4;  
THENCE South 00 degrees 10 minutes 24 seconds East, along the East line of said Lot 4 a distance of 1352.71 feet to the Southeast corner of said Lot 4;  
THENCE North 89 degrees 58 minutes 56 seconds East 2637.17 feet;  
THENCE South 00 degrees 11 minutes 19 seconds East 660.77 feet;  
THENCE North 89 degrees 57 minutes 42 seconds East 989.08 feet;  
THENCE South 00 degrees 11 minutes 32 seconds East 660.42 feet;  
THENCE North 89 degrees 56 minutes 29 seconds East 329.71 feet to the East quarter corner of said Section 4;  
THENCE South 00 degrees 11 minutes 37 seconds West, along the East line of the Southeast quarter of said Section 4 a distance of 2641.22 feet to the Southeast corner of said Section 4, being a G.L.O. Brass Cap;  
THENCE South 00 degrees 02 minutes 31 seconds West, along the East line of the Northeast quarter of said Section 9 a distance of 2636.28 feet to the East quarter corner of said Section 9, being a G.L.O. Brass Cap;  
THENCE South 00 degrees 03 minutes 39 seconds West, along the East line of the Southeast quarter of said Section 9 a distance of 2635.85 feet to the Southeast corner of said Section 9, being a G.L.O. Brass Cap;  
THENCE North 89 degrees 55 minutes 39 seconds West, along the South line of the Southeast quarter of said Section 9 a distance of 2636.78 feet to the South quarter corner of Section 9, being a G.L.O. Brass Cap;  
THENCE North 89 degrees 54 minutes 43 seconds West, along the South line of the Southwest quarter of said Section 9 a distance of 2639.18 feet to the Southwest corner of Section 9, being a G.L.O. Brass Cap;  
THENCE South 00 degrees 10 minutes 03 seconds West, along the East line of the Northeast quarter of said Section 17 a distance of 2637.41 feet to the East quarter corner of said Section 17, being a G.L.O. Brass Cap;  
THENCE South 00 degrees 10 minutes 03 seconds West, along the East line of the Southeast quarter of said Section 17 a distance of 2637.41 feet to the Southeast corner of said Section 17, being a G.L.O. Brass Cap;  
THENCE North 89 degrees 40 minutes 41 seconds West, along the South line of the Southeast quarter of said Section 17 a distance of 2638.22 feet to the South quarter corner of said Section 17, being a G.L.O. Brass Cap;  
THENCE North 89 degrees 54 minutes 18 seconds West, along the South line of the Southwest quarter of said Section 17 a distance of 2640.09 feet to the Southwest corner of Section 17, being a G.L.O. Brass Cap;  
THENCE North 89 degrees 57 minutes 37 seconds West, along the South line of the Southeast quarter of said Section 18 a distance of 2640.12 feet to the South quarter corner of said Section 18, being a G.L.O. Brass Cap;  
THENCE North 89 degrees 56 minutes 11 seconds West, along the South line of the Southwest quarter of said Section 18 a distance of 2514.54 feet to the Southwest corner of said Section 18, being the Point of Beginning.



**THE SOUTHEAST QUARTER OF SECTION 28  
LEGAL DESCRIPTION**

**THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 3  
WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY,  
ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHEAST CORNER OF SECTION 28, MONUMENTED BY A  
G.L.O. BRASS CAP:**

**THENCE NORTH 89°59'07" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST  
QUARTER OF SAID SECTION 28, ALSO BEING THE BASIS OF BEARING, A  
DISTANCE OF 2644.53 FEET TO THE SOUTH QUARTER CORNER OF SECTION 28  
MONUMENTED BY A G.L.O. BRASS CAP**

**THENCE NORTH 00°01'21" WEST ALONG THE NORTH-SOUTH MID-SECTION LINE  
OF SAID SECTION 28 A DISTANCE OF 2639.37 FEET TO THE CENTER OF  
SECTION OF SAID SECTION 28, MONUMENTED BY A REBAR WITH RLS 9087 CAP;**

**THENCE NORTH 89°58'37" EAST ALONG THE EAST-WEST MID-SECTION LINE A  
DISTANCE OF 2644.57 FEET TO THE EAST QUARTER CORNER OF SECTION 28,  
MONUMENTED BY A G.L.O. BRASS CAP;**

**THENCE SOUTH 00°01'17" EAST ALONG THE EAST LINE OF THE SOUTHEAST  
QUARTER OF SAID SECTION 28 A DISTANCE OF 2641.11 FEET TO THE  
SOUTHEAST CORNER OF SECTION 28, BEING THE POINT OF BEGINNING;**

**THE ABOVE DESCRIPTION BASED ON AN A.L.T.A SURVEY BY SOUTHWESTERN  
STATES SURVEYING, INC. DATED JUNE 26, 2004, JOB NUMBER 240694.**

